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Remarks

In the present response, claim 1-35 are presented for examination. Applicants believe that no new matter is entered.

I. Claim Rejections: 35 USC § 102

Claims 1-8, 12-15, 20-26, 30-31, and 35 are rejected under 35 U.S.C. §102(e) as being anticipated by USPN 6,085,030 (Whitehead). Applicants respectfully traverse.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Whitehead neither teaches nor suggests each element in the rejected claims, these claims are allowable over Whitehead.

Claim 1

Claim 1 recites numerous limitations that are not taught or suggested in Whitehead. For example, claim 1 recites "wherein the message from the task includes a binding-type indicator to instruct the resource mediator on resolving the local name."

No where does Whitehead teach or suggest that the message from the task includes a binding-type indicator to instruct the resource mediator on resolving the local name. By contrast, Whitehead specifically teaches:

> Specifically, the CMS 280 first checks the component registry 250 (via paths 9 and 10) to determine if the requested component is available in the offer repository 254. If the component is available, binding information is returned to the requesting consumer application 210 via paths 22 or 23. If the component is not available, the request is forwarded to the object factory 240 via path 11 to activate an object corresponding to the requested component. (See Col. 8, lines 6-14).

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Thus, Whitehead first checks the component registry for the requested component. If the component is not available, the request is forwarded to the object factor. No where does Whitehead teach or suggest that the message from the task includes a binding-type indicator to instruct the resource mediator on resolving the local name.

For at least this reason, claim 1 and all its dependent claims are allowable over Whitehead.

Claim 3

Claim 3 recites numerous limitations that are not taught or suggested in Whitehead. For example, claim 3 recites "wherein the flexible binding includes a binding-type indicator that informs the resource mediator of whether to use references to a resource descriptor or the description of the desired resource when resolving the local name."

No where does Whitehead teach or suggest a flexible binding that includes a binding-type indicator. As claimed, the binding-type indicator informs the resource mediator of whether to use references to a resource descriptor or the description of the desired resource when resolving the local name. As noted in connection with claim 1, Whitehead first checks the component registry for the requested component. If the component is not available, the request is forwarded to the object factor.

For at least this reason, claim 3 is allowable over Whitehead.

Claim 6

Claim 6 recites numerous limitations that are not taught or suggested in Whitehead. For example, claim 6 recites "a binding-type indicator that causes the resource mediator to use a tight binding to resolve the local name if any references to a resource descriptor correspond to one of available resources and to use the flexible binding otherwise such that the flexible binding is based on the description of the desired resource."

No where does Whitehead teach or suggest a binding-type indicator as claimed As noted in connection with claim 1, Whitehead first checks the component registry for the

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requested component. If the component is not available, the request is forwarded to the object factor.

For at least this reason, claim 6 is allowable over Whitehead.

Claim 22

Claim 22 recites numerous limitations that are not taught or suggested in Whitehead. For example, claim 22 recites "using a binding-type indicator to specify one of flexible binding or tight binding."

No where does Whitehead teach or suggest using a binding-type indicator to specify one of flexible binding or tight binding. As noted in connection with claim 1, Whitehead first checks the component registry for the requested component. If the component is not available, the request is forwarded to the object factor.

For at least this reason, claim 22 and its dependents are allowable over Whitehead.

II. Claim Rejections: 35 USC § 103

Claims 9 and 27 are rejected under 35 USC § 103(a) as being unpatentable over Whitehead in view of USPN 5,790,853 (Nomura). Applicants respectfully traverse.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Applicants assert that the rejection does not satisfy these criteria.

As noted in connection with claims 1 and 22, Whitehead does not teach or suggest all of the claimed elements in claims 1 and 22. Nomura fails to cure the deficiencies of Whitehead. Thus, for at least the reasons given in connection with claims 1 and 22, respective dependent claims 9 and 27 are allowable over Whitehead in view of Nomura.

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III. Claim Rejections: 35 USC § 103

Claims 10-11, 16-19, 28-29, and 32-34 are rejected under 35 USC § 103(a) as being unpatentable over Whitehead in view of USPN 5,623,600 (Ji). Applicants respectfully traverse.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Applicants assert that the rejection does not satisfy these criteria.

As noted in connection with claims 1 and 22, Whitehead does not teach or suggest all of the claimed elements in claims 1 and 22. Ji fails to cure the deficiencies of Whitehead. Thus, for at least the reasons given in connection with claims 1 and 22, respective dependent claims 10-11, 16-19, 28-29, and 32-34 are allowable over Whitehead in view of Ji.
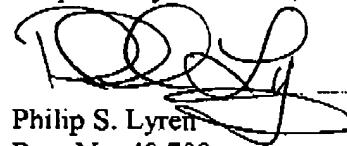
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CONCLUSION

In view of the above, Applicants believe all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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P.O. Box 272400
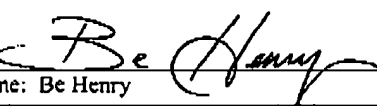Fort Collins, Colorado 80527-2400

Respectfully submitted,

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